



1776 K STREET NW  
WASHINGTON, DC 20006  
PHONE 202.719.7000

www.wileyrein.com

July 20, 2018

Shawn H. Chang  
202.719.4456  
schang@wileyrein.com

**VIA ELECTRONIC FILING**

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW  
Washington, DC 20554

Re: ***Ex Parte* Presentation:** Bridging the Digital Divide for Low-Income Consumers, WC Docket No. 17-287

Dear Ms. Dortch:

On July 18, 2018, Mark Rubin, Elizabeth Simonhoff Perez of TracFone Wireless, along with Sara Baxenberg and I of Wiley Rein LLP, spoke to Jamie Susskind of Commissioner Carr's office via conference call regarding the above-captioned proceeding. On July 19, 2018, Mark Rubin, Elizabeth Simonhoff Perez, Javier Rosado of TracFone Wireless along with Hap Rigby and I of Wiley Rein LLP, also met with Jay Schwarz and Justin McCuen of Chairman Pai's office regarding the above-captioned proceeding.

During both meetings, TracFone representatives discussed the various challenges the company has encountered with the soft launch of the National Verifier. Specifically, TracFone stated its support of the Q-Link Emergency Petition that seeks to remedy Lifeline service providers' lack of access to any application programming interface (API) for the National Verifier. The API is necessary to avoid wasteful and time consuming duplicative manual entry of a Lifeline applicant's personal information – once for the National Verifier's online portal, and a second time for TracFone's own subscriber database. The API is also necessary for TracFone to maintain its partnerships with third party entities such as human services organizations and managed care organizations to jointly market Lifeline services to those who are likely eligible and in need of the service. Finally, the API is critical for Lifeline service providers to maintain a seamless one-stop eligibility verification and application process for their prospective customers. Rather than the inefficient and burdensome two-step sign-up process envisioned by the Universal Service Administrative Company (USAC) –whereby

Marlene H. Dortch

July 20, 2018

Page 2

a customer, with the exception of an in-person meeting with the agent of a Lifeline service provider, must separately obtain a proof of Lifeline eligibility from the National Verifier online or by snail mail before selecting a service provider to receive the service – the use of API will enable a customer to directly go to a Lifeline service provider, whether online, by phone, fax, mail, or any other means made available by the Lifeline carrier, and complete the eligibility verification and application processes in a single, continuous instance.

Furthermore, TracFone representatives expressed their concern that the National Verifier will be launched in states that do not, and will not, have all of the Lifeline qualifying government programs' enrollee data in the state database for automated verification. As an example, TracFone pointed out that in the six soft launch states for the National Verifier, only half of them – Colorado, New Mexico, and Utah – have Medicaid enrollment information as part of the National Verifier's automated verification process. A Lifeline applicant living in Mississippi, Montana, or Wyoming who seeks to qualify through Medicaid must thus default to the costly and time-consuming manual verification process by uploading or mail-in their eligibility documentation for manual inspection. Under USAC's new guideline for the National Verifier, the eligibility documentation must be issued by a federal or state government or Tribal program to be considered acceptable – a departure from current practice. TracFone urges the Commission not to hard launch the National Verifier in a state unless and until all of the qualifying government programs' enrollment data are made part of the state's automated eligibility verification database. At a minimum, TracFone urges the Commission and USAC to continue to treat non-state or federal government issued proof of eligibility, such as those indicating Medicaid eligibility issued by a managed care organization, as acceptable documentation. Such MCO-generated proof of eligibility is less susceptible to fraud and abuse than a copy of state-issued Medicaid card submitted by an applicant, and can help further reduce waste and delay inherent to the manual verification process.

Finally, TracFone representatives expressed their support of the Connected Care Pilot Program and their strong interest in participating in the program. Unfortunately, the Notice of Inquiry (NOT) as drafted suggests that only facilities-based eligible telecommunications carriers (ETCs) are eligible to participate in the program. TracFone strongly believes that resellers should not be excluded from



Marlene H. Dortch

July 20, 2018

Page 3

such an adoption-focused program that targets Universal Service Fund (USF) subsidies to support innovative telehealth offerings away from the confines of brick-and-mortar facilities.

Attached to this ex parte letter are materials shared with the FCC staff during the two meetings. Please contact me if you have any additional questions or concerns.

Respectfully Submitted,

/s/ Shawn H. Chang

Shawn H. Chang  
*Counsel to TracFone Wireless, Inc.*

Cc: Jamie Susskind  
Jay Schwarz